RESOLUTION NO. 14-03-18

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY FORTRESS INVESTMENTS, INC. FOR A HISTORIC DESIGNATION OF THE STRUCTURE LOCALLY KNOWN AS “TREASURE VILLAGE” ON THE PROPERTY LOCATED AT 86729 OLD HIGHWAY WITHIN THE HIGHWAY COMMERCIAL (HC) ZONING DISTRICT, LEGALLY DESCRIBED AS PART OF MCKEES MUSEUM OF SUNKEN TREASURES INC TRACT, TREASURE HARBOR SUBDIVISION SECTION 1, ISLAND OF PLANTATION KEY, MONROE COUNTY, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, pursuant to Chapter 30, Article VII, Division 7 of the Village Code, Fortress Investments, Inc. (the “Applicant”) has applied for a Historic Designation (the “Designation”) for the structure (the “Request”) known locally as Treasure Village, located on the property (the “Property”) at 86729 Old Highway within the municipal boundaries of Islamorada, Village of Islands (the “Village”) as described in the Application attached hereto as Exhibit “A” and incorporated by reference herein (the “Application”); and

WHEREAS, on November 22, 2013, the Historic Preservation Commission (the “HPC”) reviewed the Request and recommended approval of Treasure Village as a historic structure; and

WHEREAS, on March 13, 2014, the Village Council conducted a properly noticed public hearing (the “Hearing”) regarding the Application pursuant to the applicable provisions of the Village’s Code and Land Development Regulations; and

WHEREAS, the Village Council desires to consider the Applicant’s Request for a historic designation.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA AS FOLLOWS:
**Section 1.**  **Recitals.** The above recitals are true, correct, and incorporated herein by this reference.

**Section 2.**  **Findings of Fact.** The Village Council, having considered the Request, the relevant support materials, the HPC’s recommendations, public testimony and evidence given at the hearing, does hereby find and determine:

1. The Applicant submitted the Request on July 9, 2013.

2. The Property is located within the Mixed Use (MU) Future Land Use Map (FLUM) category.

3. The Property is located within the Highway Commercial (HC) Zoning District.

4. The Public Hearing was properly noticed, the Application was properly before the Village Council for consideration, and all interested parties concerned in the matter were given an opportunity to be heard.

5. The Request complies with the following criteria established in Code Section 30-1694(a):

   1. Significance in the history of the village, the county, the state, or the United States, or association with events that are significant in the history of these entities;

   2. Association with lives of individuals significant in the past;

   3. Embodiment of the distinctive characteristics of a type, period, or method of construction, or representation of the work of a master, or possession of high artistic values, or representation of a significant and distinguishable entity whose components may lack individual distinction; or

   4. Yielding or likely to yield information important in prehistory or history.
Section 3. Conclusions of Law. Based upon the above Findings of Fact, the Village Council does hereby make the following Conclusions of Law:

1. The Application has been processed in accordance with the applicable provisions of the Village Land Development Regulations and granting the requested Designation will not be detrimental to the community as a whole; and

2. In rendering its decision, as reflected in this Resolution, the Village Council has:
   (a) Accorded procedural due process;
   (b) Observed the essential requirements of the law;
   (c) Supported its decision by substantial competent evidence of record; and

3. The Request is hereby APPROVED.

Section 5. Effective Date.

This Resolution shall not take effect for thirty (30) days following the date it is filed with the Village Clerk, and during that time, the Historic Designation for the Request approved herein shall be subject to appeal as provided in the Village Land Development Regulations. An appeal shall stay the effectiveness of this Resolution until said appeal is resolved.

The foregoing Resolution was offered by Councilman Dave Purdo, who moved for its adoption. This motion was seconded by Councilman Ken Philipson, and upon being put to a vote, the vote was as follows:

FINAL VOTE AT ADOPTION
VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS

Mayor Ted Blackburn  YES
Vice Mayor Deb Gillis  ABSENT
Councilman Mike Forster  YES
Councilman Ken Philipson  YES
Councilman Dave Purdo  YES
PASSED AND ADOPTED THIS 13TH DAY OF MARCH, 2014.

TED BLACKBURN, MAYOR

ATTEST:

SYNTIA LANKFORD, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY FOR THE USE AND BENEFIT OF ISLAMORADA, VILLAGE OF ISLANDS ONLY

ROGET V. BRYAN, VILLAGE ATTORNEY

This Resolution was filed in the Office of the Village Clerk on this 14th day of March, 2014.

Synthia Lankford, Village Clerk
CERTIFICATE OF SERVICE

A true and correct copy of the above and foregoing Resolution was furnished to the Owner, via U.S. certified mail, return receipt requested, addressed to Fortress Investments, Inc., 17750 SW 248 St., Homestead, FL 33031, this 17th day of March, 2014.

____________________________
Synthia Lankford, Village Clerk
APPLICATION FOR HISTORIC DESIGNATION
Pursuant to Code Chapter 30, Article VII, Division 7

Type of Landmark:  □ Landmark  □ Property  □ District  □ Building  □ Structure

PLEASE NOTE: THIS APPLICATION ACCEPTED BY APPOINTMENT ONLY.

All applications must be deemed complete and in compliance with the Village Code by Staff prior to the items being scheduled for review. See Attachment A for a list of required submittals and documents.

APPLICANT / AGENT (if applicable): Property owner must submit a notarized letter authorizing the applicant/agent to act on their behalf including the agent’s name, address and phone number.
Name: Thomas A. Vellanti, Jr.
Mailing Address: 402 Cinnamon Way
City: Flat Rock  State: NC  Zip: 28731
Home/Mobile Phone: 828-606-1599  Office: 828-693-4221  Fax:
Email: TomVellantiJr@Bellsouth.net

PROPERTY OWNER:
Name: Fortress Investments Inc. / Velia G. Vellanti
Mailing Address: 17750 SW 248 St.
City: Homestead  State: FL  Zip: 33031
Home/Mobile Phone: 305-951-3665  Office: 305-247-6623  Fax:
Email: Velloff@AOL.com

LEGAL DESCRIPTION OF PROPERTY: If in metes and bounds, attach legal description on separate sheet.
Physical Address: 86729 Old Hwy Plantation Key Mile Marker: 86
Lot:  Block: Subdivision: Treasure Harbor Sec 1
    □ Plantation Key  □ Windley Key  □ Upper Matecumbe Key  □ Lower Matecumbe Key
Real Estate (RE) Number: ____________________  Alternate Key: ____________________

PROPERTY DESCRIPTION:
Zoning District:  Future Land Use Category:  
Total Land Area:  Square Feet  Acres
Existing Use of Property: Charter Schools

Proposed Use of Property: Charter Schools

HISTORIC DESIGNATION:
Please indicate if the subject property is a designated historic landmark or district. Check all that apply.
□ National Register of Historic Places  □ Florida Master Site File
□ Monroe County Historic Landmark  Other: ____________________

Page 1 of 4
86800 Overseas Highway • Islamorada, Florida 33036-3162
Office 305-664-6400 • Fax 305-664-6467 • www.islamorada.fl.us

RECEIVED JUL - 9 2013
HD-13-01
Application for Historic Designation

When the Director of the Planning and Development Services determines that the application is complete, the Director shall schedule the application for a public hearing before the HPC and cause notice of the public hearing to be given. In considering the application, the Director of Planning and Development Services and the Historic Preservation Commission (HPC) will evaluate it according to following criteria. Please provide the required documents and any materials that you wish to be considered.

Describe the significance in the history of the Village, Monroe County, the State of Florida, or the United States, or association with events that are significant in the history of these entities: This building was built in 1958 to display the "first" sunken treasure find from the Spanish fleet of Spain. This ship went down in a hurricane off the coast of Plantation Key.

Describe any association with lives of individuals significant in the past: Art McKee, who built this building, was the first known treasure hunter from the USA to search for Spanish ships that sunk from hurricanes off the coast of the FLA. Keys.

Describe the embodiment of the distinctive characteristics of a type, period or method of construction, or representation of the work of a master, or possession of high artistic values, or representation of a significant and distinguishable entity who components may lack individual distinction: This building has a watch tower and was built to look like a Spanish or British fort made from stone.

Does the landmark, property, building, structure, district or area yield or is likely to yield information important in prehistory and history? The building was called "McKee's Sunken Treasure Museum", where he would charge admission to see all the rare artifacts that he would find.

Cemetery, Birthplace or Graves Owned by a Religious Institution
Does the religious property derive primary significance from architectural or artistic distinction, or historic importance? Please explain.

N/A

Has a building or structure been removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event? Please explain.

N/A

Is the birthplace or grave of a historic figure of outstanding importance if there is no appropriate site or building directly associated with his or her productive life? Please explain.

N/A
Application for Historic Designation

Is this a cemetery which derives its primary significance from the graves of individuals of transcendent importance, from age, from distinctive design features, or from association with historic events? Please explain. 

N/A

Is this a reconstructed building completed in accordance with Division 7, Article 7 of Chapter 30 of the Village Code? 

N/A

Is the property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance? Yes, a very unique structure and over 50 years old!

Has this property of exceptional importance achieved significance in the past fifty (50) years? Please explain. Yes, it is a well known "Land Mark" over the last 50 years and is referred to "The Old Castle".

If deemed necessary to complete a full review of the application, the Planning and Development Services Department reserves the right to request additional information.

I certify that I am familiar with the information contained in this application, and that to the best of my knowledge such information is true, complete and accurate. I certify that all information required, as indicated in Attachment A, has been provided.

[Signature of Applicant or Agent] [Date] 
[Print Name: THOMAS A. UCCANT; II] 

STATE OF North Carolina 
COUNTY OF Henderson

Sworn to and subscribed before me this 2 day of July, 2013, by THOMAS A. UCCANT; II (name of person signing the application) as TRUSTEE (type of authority...e.g. Officer, manager/member, trustee, attorney in fact) for FORTRESSES INVESTMENTS, LTD. (name of entity or party on behalf of whom application was executed).

[Signature of Notary Public – State of Florida] [SEAL:]

□ Personally Known □ Produced Identification Type of ID DRIVER LICENSE

Page 3 of 4
ATTACHMENT A

Please include the following submittals for all applications:

☐ Correct application fee. Check or money order to “Islamorada, Village of Islands”.

☐ Notarized agent authorization letter, if applicable, including the agent’s name, address and phone number authorizing the applicant/agent to act on all property owners’ behalf.

☐ Proof of ownership e.g. warranty deed, lease or pending sale contract.

☐ Property record card from the Monroe County Property Appraiser.

☐ Legal description of the property

☐ Photographs of the property

☐ Any other materials or documents that may be used in evaluation of the subject site.
July 2, 2013

Village of Islamorada
86800 Overseas Highway
Islamorada, Fl.
33036

RE: Application for Historic Designation for the McKee’s Museum of Sunken Treasure

Dear: Planning and Development Services

I want to thank you for the nice and informational meeting you hosted with the Historic Preservation Commission back in June. I attended the meeting for myself and the rest of my family who are the owners of the old McKee’s Museum of Sunken Treasure. Now, known as the Treasure Village Charter School. I was very glad to of here the benefits in having a property designated as a Historical Structure and like so many times people, become worried in having their property more regulated with more restrictions. We now realize that is not the case at all and it is our duty as a people of this country to preserve and protect things that were historically significant so that future generations shall not forget them.

We hope that our building will be the first Structure in Plantation Key to be designated as a Historic Site and be inducted into the Florida Historic Registry.

Sincerely yours,

[Signature]

Thomas A. Vellanti, II
Scott P. Russell, CFA  
Property Appraiser  
Monroe County, Florida

Property Record Card -  
Maps are now launching the new map application version.

Alternate Key: 8743785 Parcel ID: 00410540-000300

Ownership Details
Mailing Address:  
FORTRESS INVESTMENTS INC  
CJO VELLANTI THOMAS A ESTATE  
17750 SW 248TH ST  
HOMESTEAD, FL 33031-1829

Property Details
PC Code: 72 - SCHOOLS,COLLG.PRIV.(PC/LIST)  
Millage Group: 50VI  
Affordable Housing: No  
Section: 13-63-37  
Township-Range:  
Property Location: 86729 OLD HWY PLANTATION KEY  
Subdivision: TREASURE HARBOR SEC 1  
Legal Description: OR992-300/02 OR992-303/05 OR992-306/08 OR992-641/43 OR1060-2165/86 OR1237-438/39 OR2425-746 (PROB-09-CP-60-P)

Website tested on IE8, IE9, & Firefox. Requires Adobe Flash 10.3 or higher

http://www.mcpaf1.org/PropSearch.aspx  
7/11/2013
Click Map Image to open interactive viewer

Exemptions

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http://www.mcpafl.org/PropSearch.aspx